

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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WILLIAM QUINTANILLA, *on behalf of himself,*
FLSA Collective Plaintiffs and the Class Members,

Plaintiff,

-against-

PETE’S ARBOR CARE SERVICES, INC.
and PETER FIORE, *individually,*

Defendants.

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AZRACK, United States District Judge:

For Online Publication Only

ORDER
19-CV-6894 (JMA) (ARL)

Currently pending before the Court are the cross-motions of Defendants Pete’s Arbor Care Services, Inc., and Peter Fiore (“Defendants”) and Plaintiff William Quintanilla (“Plaintiff”), for summary judgment. (ECF Nos. 54, 59.) In a Report and Recommendation issued on June 12, 2023, the Honorable Magistrate Judge Arlene R. Lindsay recommended that the parties’ cross-motions be denied in full. (ECF No. 61 (“R&R”).)

In reviewing a magistrate judge’s report and recommendation, a court must “make a de novo determination of those portions of the report or...recommendations to which objection[s] [are] made.” 28 U.S.C. § 636(b)(1)(C); see also United States ex rel. Coyne v. Amgen, Inc., 243 F. Supp. 3d 295, 297 (E.D.N.Y.), aff’d sub nom. Coyne v. Amgen, Inc., 717 F. App’x 26 (2d Cir. 2017). The Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). Those portions of a report and recommendation to which there is no specific reasoned objection are reviewed for clear error. See Pall Corp. v. Entegris, Inc., 249 F.R.D. 48, 51 (E.D.N.Y. 2008).

To date, no objections have been filed to the R&R and the deadline for filing any such objections has passed. I have reviewed the R&R for clear error, and finding none, I adopt the R&R

in its entirety as the opinion of this Court. Accordingly, the parties' cross-motions for summary judgment are denied in their entirety. This matter shall proceed to trial.

SO ORDERED.

Dated: June 28, 2023
Central Islip, New York

/s/ (JMA)
JOAN M. AZRACK
UNITED STATES DISTRICT JUDGE